

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA)	Criminal Number: 2:17-301
)	
)	
-versus-)	MOTION TO WITHDRAW
)	GUILTY PLEA
)	
<u>RASHAUN JUDGE</u>)	

The Defendant, Rashaun Judge, through his undersigned attorney, respectfully requests a hearing to establish his right to withdraw his guilty plea entered on October 23, 2017. Rule 11(e) of the Federal Rules of Criminal Procedure establishes that before a court imposes sentence, a guilty plea may be withdrawn where a defendant can show a just and fair reason for requesting the withdrawal.

As will be more fully established during a hearing on the matter, at the plea hearing Judge entered his plea effectively under *North Carolina v. Alford*, insofar as he represented to the Court that while he was not guilty of the charged conduct on the date alleged in the indictment, he had previously committed conduct violative of the statute charged in the indictment and believed there was substantial evidence relating to the incident for which he was indicted that he would likely be convicted at a trial; Judge did so in order to take advantage of the promises made by the Government in the plea agreement, but in the intervening months, Judge has lost confidence in that decision and prefers to litigate his case for innocence before a jury of his peers.

Respectfully submitted,

BLAZER LAW FIRM
1037 Chuck Dawley Blvd D104
Mount Pleasant, SC 29464
Telephone: (843) 732-4441

By: /s/ Cameron Jane Blazer
Cameron Jane Blazer
Federal ID Number: 10131

Attorney for Defendant

Charleston, South Carolina
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